

COMMISSION ON VASAP
QUARTERLY BOARD MEETING

Thursday, December 5, 2013

Minutes

Attendance:

Commission Members:

Delegate Jackson H. Miller, Chairman
Sheriff Michael L. Wade, Vice Chairman
Senator Richard H. Stuart
The Honorable Mary Jane Hall
The Honorable George D. Varoutsos
The Honorable Gino W. Williams
Ms. Pat Eggleston
Mr. Roy-Keith Lloyd
Ms. Susan E. Marchon
Ms. Mellie Randall
Mr. John Saunders

Absent:

Senator Thomas K. Norment
Delegate Richard L. Morris
Delegate David J. Toscano

Commission Staff:

Ms. Angela Coleman, Executive Director
Mr. Oscar Brinson, Legal Counsel
Ms. Rosario Carrasquillo
Ms. Sarah Morr
Mr. Christopher Morris
Ms. Charlene Motley

ASAP Directors:

Ms. Robyn Allen
Mr. Miles Bobbitt
Mr. Anthony Carmichael
Ms. Mary Read Gillispie
Ms. Tammy Goad
Mr. James Hatcher Johnson
Ms. Victoria Kesler
Ms. Beth Lipes
Ms. Deborah Morgan
Mr. Kimball Peele
Ms. Cindy Sheffield
Ms. Tara Smith
Mr. Rick Wilkins

Guests:

Mr. Jason Ball
Ms. Lithia Carter
Ms. Deborah Coffey
Mr. Chad Goodwin
Mr. John Honea
Mr. Doug Larson
Mr. Rick Miller
Mr. Bryan Mooney
Mr. Josh Perkins
Mr. Richard Phillips
Mr. Coefield Silver
Mr. Michael Shultis
Mr. Russell Young

Time and Place:

The quarterly meeting of the Commission on the Virginia Alcohol Safety Action Program (VASAP) was held on December 5, 2013 at the General Assembly Building 6th Floor Speaker's Conference Room. The meeting was called to order by Delegate Jackson H. Miller, Chairman.

Welcome:

Delegate Miller welcomed and thanked everyone for attending the meeting. Delegate Miller introduced the two new Commission members, The Honorable Mary Jane Hall and The Honorable Gino W. Williams.

Approval of Minutes:

A motion was made by Sheriff Wade and properly seconded by Mr. Saunders to approve the minutes from the September 12, 2013 meeting. All were in favor.

Special Recognition:

Delegate Miller recognized The Honorable James F. Almand and The Honorable George W. Harris, two former Commission members. He thanked them for their hard work and stated that their service to the Commission is appreciated. The judges will be presented with a plaque.

Executive Finance Report:

The Executive Finance Committee report was presented by Ms. Susan Marchon. Ms. Marchon reported that the Executive Finance Committee met on December 4, 2013. Prior to giving her report, she welcomed the newest members of the Commission and explained that one of the more significant issues discussed in the Executive Finance Committee is budget amendments.

Budget Amendments:

Bull Run

When Bull Run ASAP originally submitted their fiscal year 2014 budget, there were several vacant positions in the budgeted amount. Mr. Kimball Peele, Director of Bull Run ASAP, assumed that the amount budgeted would be a good starting salary for these positions. However, when he advertised for those positions, he was unable to fill them at the salary posted. Therefore, he had to raise the salary to a higher level. Ms. Marchon stated that Mr. Peele could provide the specifics of the exact dollar amount of that increase. Additionally, Mr. Peele had also budgeted salaries for part-time staff. The workload became necessary to add more hours than what was anticipated. Mr. Peele is also asking for a budget amendment to increase part-time positions from nine hours a week to twenty four hours a week. The increase of hours and salaries caused a significant increase in the expenditures. Mr. Peele calculated the increases to include all of the increases of social security and for full time-employee health insurance benefits. The amount to cover those increases for the remainder of this fiscal year would be a total of \$32,524. Ms. Marchon stated that Mr. Peele has ample funds to cover that increase;

however, he will need to withdraw \$25,000 from the reserve account to transfer into the operating account. Bull Run ASAP will also be collecting an additional \$725.00 from monitoring fees to cover those expenditures. Ms. Marchon stated that Mr. Peele has one of the larger programs in the state and will need to fill these positions. Senator Stuart asked Mr. Peele what was the original budgeted salary for the case manager hired and how much did he have to increase. Mr. Peele responded that the original budgeted amount was \$30,000 and he had to increase it to \$41,000. The large increase was because the person hired is a very experienced candidate for the branch office in Leesburg. Senator Stuart asked if the benefits were for the part-time employees and Ms. Marchon responded that the increase in benefits is for the full time employees.

Ms. Marchon stated that the Executive Finance Committee recommends approval for the Bull Run ASAP budget amendment. Delegate Miller asked if there were any questions about the budget amendment for Bull Run ASAP.

District Nine ASAP

A letter was presented to the Commission of VASAP from Daren Leake, District Nine ASAP Director, providing information on increased health care costs. Mr. Leake was forced to make a decision quickly to prevent health insurance premiums from increasing. According to the letter, the increase would have been 45% - 69% in premiums. Mr. Leake is asking for an \$835.72 budget amendment for the increase in expenditures for this fiscal year. Ms. Marchon stated that the program has ample funds to cover that amount. The Executive Finance Committee recommended approval.

The Commission agreed to take one vote for all ASAP budget amendment requests, unless there was opposition to any of them.

New River Valley ASAP

Ms. Marchon reported that the New River Valley ASAP has a 1999 Ford Explorer as their agency vehicle that required some major repairs. The repairs were not anticipated by the ASAP. The vehicle needed a new battery, a new fuel pump and a number of other repairs. The total cost to repair the vehicle is \$1,201.54. The New River Valley ASAP is requesting a \$1200.00 increase to the maintenance line item. Ms. Marchon reported that the program has ample funds to cover this increase in their budget. Senator Stuart asked if the employees use their private vehicles for travel. Ms. Marchon stated that the agency vehicle is used for the longest travel distances. Mr. Saunders asked if personal vehicles were used. Ms. Marchon stated that personal vehicles are occasionally used. The car is a 1999 Ford Explorer with 63,000 miles. Mr. Saunders asked, "How is it determined and at what point will the car be replaced?" Ms. Marchon responded that the Board of that ASAP will look at whether or not the vehicle should be replaced. Ms. Marchon stated that the New River Valley ASAP Board is very conservative about spending money if it is not necessary. Delegate Miller stated he is very appreciative that the Board is not spending unnecessary money and was impressed that the 1999 vehicle is still being used. Judge Hall asked, "Do most of the ASAP agencies have vehicles?" Ms. Marchon responded that not all of them need to travel the distances that other ASAPs have to; however, some ASAPs have vehicles. Ms. Marchon explained that fifty percent of the ASAPs have a locality that serves as their fiscal agent and ASAPs receive different services from that

locality. For example, New River Valley ASAP's locality does not provide them access to their city pool of vehicles; therefore, in their situation they had to buy their own. Other ASAPs whose locality serves as their fiscal agent may have access to pool vehicles. Senator Stuart asked if the only reason to attend court is for show causes. Ms. Marchon replied that other ASAPs go to court and some complete the restricted licenses for the offenders and set up the initial appointment with the ASAP while at court. Ignition interlock and paperwork is also set up while in court. Many ASAPs provide complete services. Senator Stuart said that it would be beneficial for ASAPs to complete paperwork while in court in the rural areas because it is difficult for offenders to make that trip to the ASAP. Senator Stuart asked if ASAP staff are required to go to court for show cause hearings and does the ASAP have a formula to charge the defendant. Ms. Marchon responded that the ASAPs are required to go to court for show cause hearings and there are costs associated. Senator Stuart asked, "Is there a mechanism to charge that defendant?" Ms. Marchon replied, not currently.

Mount Rogers ASAP

Ms. Marchon reminded everyone that at the last meeting the Executive Finance Committee received a budget amendment request from Mount Rogers ASAP for health care reimbursement to employees. The amount varied from \$1.25 to \$1,800.00. The Commission decided not to take any action and requested that a letter be sent to their Policy Board requesting their attendance at the December 5, 2013 Commission meeting to provide an explanation. The Mount Rogers ASAP submitted a revision. The new request is for the same dollar amount for each employee. The amount of \$3,301.00 will be evenly divided between the four full-time employees. Ms. Marchon reported that the program has enough money to cover the requested amount. Ms. Marchon stated that many of the ASAPs had the same type of increase. There was concern from the last Commission meeting on September 12, 2013, that if the amendment to the budget in Mount Rogers ASAP was passed it would have an impact on the other ASAPs. Ms. Marchon stated that no other ASAP has asked for a similar amendment and that it would depend upon whether that ASAP had enough funds for the reimbursements. Delegate Miller added that individual ASAPs have their compensation package and that every compensation package from salary to benefits can vary. Judge Williams asked "Why is it a one-time reimbursement and are they adding it to the salary to cover increases down the road?" Ms. Marchon added that she is not sure if Mount Rogers ASAP will be increasing the salaries in the future to cover those expenses. Next year's budget will show if there is going to be a salary increase.

Sheriff Wade moved to approve the budget amendment for Bull Run ASAP, District Nine ASAP, New River Valley ASAP, and Mount Rogers ASAP. The motion was properly seconded by Judge Hall. All were in favor.

Southwest ASAP

At the last Commission meeting, the Commission voted to send a letter to Southwest ASAP with a deadline of December 1, 2013 to discontinue the practice of not utilizing payroll deductions for dependent health care premiums. Southwest ASAP was paying the health care premiums for the dependents and then the employees were submitting a personal check to reimburse the ASAP for that amount. The program has restructured their payroll deductions and they will now be withholding the appropriate amount effective January 1, 2014.

Chesapeake Bay ASAP

Chesapeake Bay ASAP has a new director, Rick Wilkins. The Commission and other ASAPs have spent a lot of time and effort working with the Chesapeake Bay ASAP. Ms. Marchon reported that it appears that the Chesapeake Bay ASAP has made substantial strides to bring the program into certification compliance. The Commission has a certification review scheduled for February 19, 2014 and February 20, 2014 to determine if deficiencies and areas of attention as noted in the certification review of May of 2013 have been corrected. A final recommendation for certification will be made at the Commission meeting on March 14, 2014.

Ms. Marchon reported that the Executive Finance Committee is requesting an extension to the conditional certification for Chesapeake Bay ASAP. Senator Stuart moved to approve the extension for the conditional certification for Chesapeake Bay ASAP. The motion was properly seconded by Sheriff Wade. All were in favor.

Court Community Corrections ASAP

Ms. Marchon reported that Ms. Beth Lipes has been appointed as the Director for Court Community Corrections ASAP. The Commission on VASAP has been working with this program in the same manner in which they have with Chesapeake Bay ASAP. Most of the ASAPs problems have been process oriented. Ms. Lipes is very committed to both accepting help and working on the agency's problems. Ms. Lipes' former supervisor, Ms. Katie Van Patten, is no longer working with the program in a volunteer capacity.

The Commission has a certification review scheduled for February 5, 2014 and February 6, 2014 to determine if deficiencies and areas of attention as noted in the management review of August 2013 have been corrected.

Ms. Marchon reported that the Executive Finance Committee is requesting an extension to the conditional certification for Court Community Corrections ASAP. Senator Stuart moved to approve the extension for the conditional certification for Court Community Corrections ASAP. The motion was properly seconded by Judge George D. Varoustos. All were in favor.

Peninsula ASAP

Ms. Marchon reported that Angela Coleman, VASAP Executive Director, was contacted by Lithia Carter, Peninsula ASAP Policy Board Chair on October 11, 2013. Ms. Carter informed Ms. Coleman that Alicia Durrah was terminated from her position as Director and asked if the Commission could assist in the administration of the program until a new director is hired. Ms. Coleman agreed to provide assistance until which time a director is hired.

Ms. Marchon reported that a budget amendment will be required to pay the unemployment benefits for Ms. Durrah.

Ms. Marchon reported that after the September 12, 2013 Commission meeting Peninsula ASAP secured a \$100,000 line of credit on the office building. A portion of these funds have been expended. There is \$64,000 available through that line of credit; however; there are serious financial problems that remain. There is concern that some unusual expenditures continue to occur. For example, at the VASAP Annual Conference, which was held on September 16 – September 17, 2014, Peninsula ASAP spent \$500.00 on dinner at a very expensive restaurant for

their policy board members and staff who attended the conference. Ms. Marchon stated that two Peninsula ASAP Policy Board members are present to answer any questions. Senator Stuart asked, "Who decided to spend \$500.00 on a dinner when there is a deficit in the program?" Ms. Lithia Carter, Chairperson of the Peninsula ASAP Policy Board, responded that it was the former director, Ms. Durrah's, decision to go to that restaurant the Sunday night before the conference. She stated that the employees suggested the restaurant to boost morale within the program.

Delegate Miller stated that although this kind of expenditure may have not violated the criminal code, he felt the majority of Virginians would consider this similar to criminal activity. Commission staff has since directed Peninsula ASAP to discontinue the use of their purchase cards.

Executive Session:

It was moved and properly seconded that members of the Commission convene into Executive Session under the *Code of Virginia*, pursuant to Section 2.2.3711(A)(7) to discuss legal issues specifically those matters related to LifeSafer and personnel issues regarding Peninsula ASAP. The motion was seconded and unanimously approved.

Return to Open Session:

Sheriff Wade moved to certify that only legal matters related to LifeSafer and personnel matters regarding Peninsula ASAP were discussed during the Closed Meeting and no action was taken. The motion was seconded and unanimously approved.

When the meeting returned to open session, there was still the matter of the budget amendment approval for the Peninsula ASAP. Ms. Marchon reported that the maximum amount would not exceed \$4,536 which is the full twelve weeks. Sheriff Wade stated that there is a possibility that Ms. Durrah may have gained employment since she left the ASAP. If she has not gained employment, the amount of \$4,536 will be dispersed and if she has gained employment the amount will be prorated.

Ms. Carter reported to the Commission that while they were in Executive Session that she contacted Ms. Durrah and asked her if she had gained employment. Ms. Carter reported that Ms. Durrah stated that she had not gained employment. Ms. Carter stated that she will obtain confirmation through VEC and the City of Newport News and report her findings to the Commission as soon as possible.

Judge Williams moved to approve the amendment of the budget in the maximum amount of \$4,536 dependent upon the outcome of Ms. Durrah's employment status. The motion was properly seconded. Ten were in favor. Senator Stuart opposed.

Ms. Marchon reported that there are additional problems with Peninsula ASAP. The majority of concerns revolve around their financial situation and issues that have extended over periods of time with the management of staff. The Commission staff has serious concerns about the ASAP

operating on the loan against the building and how those expenditures will be impacted when a new director is hired.

Ms. Marchon stated that there was also concern that the Peninsula Policy Board is resistant to changes or suggestions made by Commission staff. Ms. Charlene Motley, Field Services Supervisor for the Commission, stated that recommendations presented to the Policy Board were not accepted or readily accepted. She noted once case in which the policy board chair had given the approval to discontinue the acceptance of cash and new policies were immediately implemented to discontinue the acceptance of cash. During the Peninsula ASAP Policy Board, Ms. Carter advised of the no cash acceptance policy. Although the board was in agreement, they made the decision to have the new policy implemented with an effective change date of December 16, 2013. The Commission was required to send out an update to staff retracting the immediate no cash policy. Commission staff also suggested that the ASAP use a city vehicle from the city pool instead of making reimbursements to case managers when driving to court. Commission staff started the process with the ASAP staff to begin the required training needed in order to reserve a pool vehicle with the city of Newport News. The Board was not in agreement. The Commission suggested conducting a comparison for six months to review the cost of using a city vehicle versus mileage reimbursement to determine the least costly method of transportation. The board was not in agreement.

The current Peninsula ASAP Policy Board, except for four new members, has been compromised of the same members for many years. Ms. Carter has been a member of the Board for fourteen years and became Chair last year. Mr. Charles Buffington was the prior Chair and he is still on the board.

Ms. Carter stated that as the Chair she has been incorporating the new members in committees in an attempt to utilize fresh and new ideas. Senator Stuart asked, "Why is the Board so resistant to the Commission staff's suggestions when they are trying to help you?" Ms. Carter replied that she has encouraged the Board to accept recommendations that the Commission has offered. Ms. Carter stated that is she extremely pleased that the Commission is available to provide assistance. She stated that although she can offer recommendations to the Board; however, when the Board votes she has to carry out and act at the will of the Board. Ms. Carter advised that she has been working forty hours a week assisting the ASAP and she has been involved in the work that the Commission staff has been doing. Ms. Carter assumed the position as the board chairperson to rebuild and to do things differently than in the past. Ms. Carter sees this as an opportunity and a pivotal point for Peninsula ASAP. Ms. Carter has encountered resistance from other Board members and she stated that it makes it difficult to accomplish her goals for the ASAP. At the next Board meeting, it is her intention to inform the Board of Peninsula ASAP status if the resistance continues. She stated that she is very committed to VASAP, Peninsula ASAP, and to highway safety.

Senator Stuart stated that since he has been on the Commission, Peninsula ASAP has been suffering significant difficulties. He is concerned that the Board members and Peninsula ASAP staff spent \$500.00 on dinner that they didn't have to spend. Ms. Carter stated that in spite of everything that she is trying to do; she is only one of fourteen board members. Senator Stuart remarked that he is seeing a lot of mismanagement and does not want it to continue.

Senator Stuart moved for to decertify Peninsula ASAP and have the Commission on VASAP assume operation of the program. Judge Williams seconded the motion. Before a vote was taken on this motion, Delegate Miller asked the Commission if there was any discussion for the motion on the table.

Delegate Miller remarked that Senator Stuart's motion was certainly worthwhile; however, he does not want to put additional strain on the Commission staff at this time. Delegate Miller understands that the Commission may at some point have to take over that program.

Before the vote was taken on the original motion, Judge Varoutsos made a substitute motion to table the motion until the next Commission meeting on March 14, 2014, to allow Peninsula ASAP more time to make progress. Judge Hall seconded the motion.

Senator Stuart remarked he will be looking for a major display of collaboration from the policy board at the next Commission meeting on March 14, 2014. Mr. Saunders agreed with the Senator Stuart. He stated that he found it very difficult to continue to support the actions of Peninsula ASAP and there needs to be a "U-turn" in their direction. It was recommended by the Commission that the \$64,000 available line of credit not be used. Any of those funds could become a liability for the Commission if it has to assume operating the program. Delegate Miller stated that there were some members of the Commission that wanted to immediately rescind the certification of Peninsula ASAP. Since there has been some effort on behalf on the Policy Board, the majority wanted to provide additional time. If there has not been significant change by the next meeting, the motion regarding certification could be re-visited.

Mr. Coefield Silver, Policy Board member of Peninsula ASAP, spoke briefly about the history of Peninsula ASAP. Mr. Silver requested to be given the opportunity to have more time to work on the program. He wants to prove to the Commission that Peninsula ASAP can be improved. Mr. Silver also stated that he attends the Commission meetings because he wants to see what is going on with his Policy Board at the Commission on VASAP meetings.

Senator Stuart recommended that the Policy Board work with the City of Newport News to explore a reduction of the cost of fiscal services. The ASAP spends \$45,390.00 per year in fiscal services in indirect costs. That amount is the highest of all the ASAPs in the state with the second highest amount being just \$14,000.

At the conclusion of the discussion, a vote was taken on the substitute motion to delay voting on Senator Stuart's motion to revoke the certification of Peninsula ASAP until the next Commission meeting on March 14, 2014. Ten were in favor. Senator Stuart opposed.

After the vote, Sherriff Wade made a request to the ASAP directors present. He asked them to develop a standardized report of information that will be presented to their ASAP Policy Boards each month for accountability. He noted that a lot of the problems that are presented to the Commission involve the director's failure to provide the information to the Board. If the Commission on VASAP were able to require certain reports from the ASAP Directors, it will decrease the number of problems that the Commission on VASAP has encountered across the

state. In some instances, directors have not been presenting information to the ASAP Policy Board as they should which encourages conflict between ASAP Policy Boards and Commission on VASAP.

LifeSafer

The Commission requested LifeSafer to appear in front of the Commission on VASAP December 5, 2013, to discuss the specifics of their suspensions in the state of Pennsylvania and New York, along with the wait times for installation of ignition interlock. Mr. Michael Shultis, Regional Manager of LifeSafer, explained the suspensions in Pennsylvania. The first suspension was a reporting issue. The second suspension was related to the DL21 form process, which requires all vendors to conduct a title search through the Pennsylvania DMV website before the ignition interlock system is installed to verify ownership of the vehicle. The Pennsylvania DMV updated their software in January. He reported that after the update many of the counties and the vendors in the state were having problems with logging into the site. LifeSafer was not able to conduct searches of the DL21 forms at the Pennsylvania DMV website for a period two weeks; however, they continued to install. The former interlock state director for LifeSafer did not take the situation urgently and when Mr. Shultis was informed of the situation, he contacted the second person in command to correct the problem with the Pennsylvania DMV website. LifeSafer was in violation of the Pennsylvania statutes because they continued to install ignition interlocks without verifying the DL21 Forms with the Pennsylvania DMV website during the time that the DMV system had glitches.

LifeSafer was informed by the Pennsylvania DUI Association that they were the only vendor that continued to install ignition interlock systems on client's vehicles during that two week period. Mr. Shultis stated that even though it was good for public safety to install the ignition interlock systems on the client's vehicles, they acknowledged violating the Pennsylvania directives. Mr. Shultis stated that the state director for Pennsylvania is no longer with LifeSafer.

LifeSafer stated that the suspension did not escalate to the point they could not conduct business or installations.

The contract with the Commission on VASAP states that notification is required if LifeSafer is suspended from conducting business in another state. LifeSafer stated that the Pennsylvania DUI Association was aware of the impact to LifeSafer if they were suspended from conducting business.

Pennsylvania DUI Association representatives were also at the Commission meeting to explain the suspensions. Mr. Russell Young, Quality Assurance Technician from the Pennsylvania DUI Association, explained that LifeSafer was removed for one month for the first suspension and for six months for the second suspension. The suspensions were a result of disregarding the Pennsylvania DUI Association's specifications. The Pennsylvania DUI Association stated that they were not going to refer clients to LifeSafer through their website, they would not send referral letters out to the clients, or provide information about LifeSafer in their facilities. LifeSafer was still allowed to perform ignition interlock system installs and service clients; however, they had to conduct their own advertisement. Mr. Young stated that the Pennsylvania

DUI Association did not want their clients to suffer because of the transgressions of their provider.

Discussion continued about a suspension in New York where the new wireless program is available in two counties in the state. LifeSafer reported that they had an issue with a wireless cell provider and New York had no choice but to place them under suspension to maintain the integrity of the program. Mr. Shultis stated that a suspension notification letter was sent to the states in which LifeSafer conducts business. The Commission did receive a letter of notification. The suspension was active from October 21, 2013 to December 19, 2013.

Members of the Commission on VASAP asked LifeSafer to explain unusually long installation wait times. Mr. Bryan Mooney, Vice President of Sales and Field Operations for LifeSafer, stated that the wait times for the ignition interlock installs have varied over time, especially in larger populated areas like in the northern Virginia area. After a letter was sent to LifeSafer in October 2013, those wait times have decreased but most are still above the levels of the other vendors. Mr. Christopher Morris, Special Programs Coordinator for the Commission, explained that Commission staff has been calling the corporate offices to verify the wait times. The report verified that install wait times in the highly populated areas are one to two days. LifeSafer's wait times decreased dramatically when the letter was sent requesting representation at the December 5, 2013 Commission meeting. Until that time, getting LifeSafer to comply with reasonable wait times was met with resistance. Mr. Morris stated that the wait times are now at reasonable levels; however, only after the letter was sent requesting LifeSafer's presence at the Commission meeting.

Ms. Marchon stated that in addition to installation wait time concerns, there were several customer service issues with LifeSafer. LifeSafer reported there was a client whose car was damaged by a technician. The client was asked to sign a hand-written damage liability waiver created by the technician. To date, the damage has not been compensated and the vehicle has not been repaired. Asking the client to waive the responsibility of vehicle damage is of great concern to the Commission on VASAP.

On November 13, 2013, Mr. Morris was notified by the client that his vehicle had been damaged. The client was driving to Delaware when the vehicle shut off. He replaced the battery at the cost of \$139.00. He also took the vehicle to a LifeSafer facility. The LifeSafer technician reportedly replaced the head unit on the client's device. During the head unit install, the technician completed a hand-written waiver and had the client sign it after they had deemed the vehicle was operational. The waiver stated that the client could not hold LifeSafer liable for any future damage. The client had issues with the odometer and he took the vehicle to a mechanic. The damage was in the amount of \$2,200. Mr. Morris contacted the technician that installed the ignition interlock and asked if the vehicle was pre-inspected according to Virginia contract specifications. The technician stated that he did not follow procedure and did not have a pre-inspection checklist. Mr. Morris referred the case to Doug Larson, LifeSafer State Director, Mr. Larson has been in communication with the client to obtain documentation for the damage; however, it has not been resolved. Mr. Larson stated that the technician felt that he was personally under the threat of a lawsuit and decided on his own to create a waiver of damage liability.

Mr. Mooney apologized for not notifying the Commission on VASAP of the suspension in Pennsylvania. He addressed the wait time issue and stated that he had made a commitment to the Commission on VASAP earlier in the year to improve the wait times. Mr. Mooney stated that it was a coincidence that the wait times have improved since the letter was mailed. He stated that LifeSafer was already working to improve wait times. Mr. Mooney also stated that LifeSafer will pay for the damage to the client's vehicle when the estimate is received.

After the discussion ended, Sheriff Wade moved to suspend LifeSafer from receiving installation referrals until the March 14, 2014 Commission meeting, for substandard customer service and for compromising the integrity of the ignition interlock program in the Commonwealth of Virginia. The motion was properly seconded by Senator Stuart. All were in favor.

Executive Director's Report:

Ms. Coleman provided an update of the invitation she received from the Teaching Affiliate of Harvard University and the Century Council on impaired driving and repeated offenders in November. A new assessment tool for high risk DUI participants is being developed. It is anticipated that there will be additional working groups.

Ms. Coleman stated that the final Regional DMV and VASAP training was completed with three hundred and forty seven participants. The training included participants of the clerks from both the General District and the Circuit Courts, ASAP and DMV staff.

The VASAP 2013 Training Conference was held in Richmond, Virginia on September 16-17, 2013. There were one hundred and eighty nine participants among them were Delegate Miller, and Mr. Saunders. Ms. Coleman stated that she was very pleased with the outcome of that training. The dates of the VASAP Training conference for next year will be on September 29-30, 2014. The location will be announced at a later time.

Ms. Coleman then provided an update on the oversight of the Alexandria ASAP office. The program is doing very well programmatically and financially. Ms. Coleman stated that the Alexandria ASAP will be moved to a different location and if there is anything that the other ASAPs would like to donate to the Alexandria ASAP, to please let the Commission on VASAP know and we will gladly pick up.

VASAPDA Report:

Mr. Kimball Peele, President of the VASAP Director's Association, gave a small history of VASAPDA for the new Commission Members. VASAP Director's Association was established thirty five years ago. The directors were very active in the development of a statewide program for ten – twelve years while under the DMV as part of the old Department of Transportation Safety. In the late 1980s, VASAPDA assumed more supplemental role with the Commission.

Mr. Peele also reported that VASAPDA had their fall conference in Roanoke in October with great attendance. Mr. Peele reported that VASAPDA is working on a project with the

Commission on VASAP to provide a training program for new case managers. He stated that the Commission on VASAP has also developed an online computer training program for the case managers for the future.

Mr. Peele encouraged the Commission members to ask questions of the ASAP directors in their jurisdictions. Mr. Peele accepted Sherriff Wade's suggestion. The directors will compose a draft of the agendas of current information to be submitted to policy board members. The document will be submitted to the Commission on VASAP on the next meeting in March.

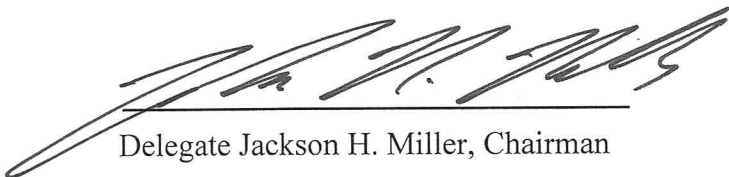
Proposed Meeting Dates:

Delegate Miller notified the Commission on VASAP that upcoming quarterly meetings day has changed to Fridays. The dates are as follows:

March 14, 2014
June 13, 2014
September 12, 2014
December 12, 2014

Adjournment:

The meeting was adjourned by Delegate Jackson Miller.



Delegate Jackson H. Miller, Chairman